mental loss, as there is in a case where one insures his means of subsistence; and without such advantage the dangerous tendencies which must occasionally bring evil results seem sufficient to invalidate the policy. *Life Ins. Clearing Co.* v. *O'Neill, supra. Contra, Woods* v. *Woods' Adm'r*, 130 Ky. 162, 113 S. W. 79. See cases collected in RICHARDS, INSURANCE LAW, 3 ed., § 35; 1 MAY, INSURANCE, 4 ed., § 102 A–107 C.

INTERSTATE COMMERCE — CONTROL BY CONGRESS — CONFLICT BETWEEN FEDERAL AND STATE POLICE REGULATIONS: SAFETY APPLIANCE LAWS. — A state statute required all locomotives used in the state to comply with certain specifications tending to promote the safety of travel, and for an elaborate system of inspection to enforce compliance. A subsequent federal statute embodied similar provisions for interstate locomotives, and differed only in details the enforcement of which would not render impossible enforcement of the state statute. *Held*, that the state statute is now invalid as to interstate commerce. *Louisville & Nashville R. Co.* v. *Hughes*, 201 Fed. 727 (Dist. Ct., S. D. Oh.).

The state statute was admittedly valid, when passed, as an exercise of police power in the absence of federal regulation. But the law seems to be that a federal statute which shows an intent to exclude all state police regulation of interstate commerce in a given field is effective in so doing, even though the state regulations are not inconsistent with those of Congress. *Northern Pacific Ry. Co.* v. *Washington*, 222 U. S. 370, 32 Sup. Ct. 160. In the principal case the intent of Congress to control completely one field of interstate commerce is made plain by the elaborateness of the federal statute. Moreover, although the two statutes could have been enforced simultaneously, the expense involved prohibits it as a matter of business expediency, and they should be held to be in direct conflict. See 26 HARV. L. REV. 78.

INTERSTATE COMMERCE — CONTROL BY STATES — CONFLICT BETWEEN FEDERAL AND STATE POLICE REGULATIONS: Pure Food Laws. — A state statute provided that a certain compound should not be sold under the label of "syrup." The defendants, retail merchants, were convicted under this statute. The goods in question were bought in another state and the label and package were unaltered. The label "syrup" was a proper one under the federal Pure Food Act, applying to goods in interstate commerce. *Held*, that the state statute is invalid as interfering with the operation of the federal Pure Food Act. *McDermott* v. *State of Wisconsin*, 33 Sup. Ct. 431.

For a discussion of the principles involved see 26 HARV. L. REV. 78.

INTERSTATE COMMERCE — INTERSTATE COMMERCE COMMISSION — POWER TO ORDER EQUALIZATION OF INTRASTATE RATES WITH INTERSTATE RATES. — A state railroad commission fixed intrastate rates so low as to prevent commercial competition within the state by distributing centers just across the state line which had to ship under the reasonable interstate rates. The railroad acquiesced. The Interstate Commerce Commission ordered the railroad to equalize its interstate and intrastate rates in that section. *Held*, that Congress has the constitutional power to do this, and it has delegated that power to the Interstate Commerce Commission. *Texas & Pacific Ry. Co.* v. *United States*, U. S. Commerce Ct., April 25, 1913.

The court permitted the order because the state rates could be resisted by the railroad on the ground that they were unconstitutional in interfering with interstate commerce. The case thus presents a similar question to that involved in the State Railroad Rate Cases now before the Supreme Court. See *Shepard* v. *Northern Pacific Ry. Co.*, 184 Fed. 765; *St. Louis & S. F. Ry. Co.* v. *Hadley*, 168 Fed. 317. In deciding that the discriminatory intra-